

ASSEMBLY BILL

No. 769

Introduced by Assembly Member Jerome Horton

February 18, 2005

An act to add Section 17980.12 of the Health and Safety Code, relating to residential real property.

LEGISLATIVE COUNSEL'S DIGEST

AB 769, as introduced, Jerome Horton. Residential Real Property.

The State Housing Law requires the housing or building department or, if there is no building department, the health department, of every city, county, or city and county, or a specified environmental agency to enforce within its jurisdiction all of the State Housing Law, the building standards published in the State Building Standards Code, and other specified rules and regulations. If there is a violation of these provisions or any order or notice that gives a reasonable time to correct that violation, or if a nuisance exists, an enforcement agency is required, after 30 days' notice to abate the nuisance, to institute any appropriate action or proceeding to prevent, restrain, correct, or abate the violation or nuisance.

This bill would, on and after July 1, 2006, authorize an enforcement agency to require an owner of residential rental property to successfully complete 15 hours of educational courses, seminars, or workshops that are approved by the Department of Real Estate, as specified, if he or she fails to comply within a reasonable time with the terms of an order or notice to repair or abate a building condition that is in violation of a housing or building standard to an extent that the health and safety of the residents or the public is substantially endangered.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17980.12 is added to the Health and
2 Safety Code, to read:
3 17980.12. (a) If the owner of residential rental property fails
4 to comply within a reasonable time with the terms of the order or
5 notice issued pursuant to Section 17980.6, the enforcement
6 agency may require the owner and the owner's agents to
7 successfully complete 15 hours of educational courses, seminars,
8 or workshops that are approved by the Department of Real
9 Estate. The courses shall include the following:
10 (1) Not less than a three-hour course in ethics, professional
11 conduct, and legal aspects of ethics in rental property
12 management, which may include, but not be limited to, relevant
13 legislation, regulations, articles, reports, studies, court decisions,
14 and information that relates to rental housing.
15 (2) Not less than a three-hour course in fair housing law,
16 which shall include, but not be limited to, fair housing law as it
17 relates to leasing residential housing.
18 (3) Not less than six hours related to residential rental property
19 maintenance, which shall include, but not be limited to, elements
20 of maintenance management, habitability laws, avoiding
21 negligence, liability for nuisance and nuisance law, identifying
22 and avoiding potential liabilities, property inspections,
23 completing maintenance requests, inspecting and evaluating a
24 unit upon move-out and move-in, preparing for emergency
25 maintenance, preventive maintenance, providing quality
26 customer service, and insurance coverage.
27 (4) Other courses and programs that will enable an owner and
28 his or her agents to achieve a high level of competence in serving
29 tenants, including, but not limited to, the teaching of techniques
30 that will contribute to improving the landlord-tenant relationship,
31 energy conservation techniques, and the owner's and his or her
32 agent's knowledge of landlord-tenant law.
33 (b) For purposes of this section, "successful completion" of a
34 course described in paragraphs (1) to (4), inclusive, of
35 subdivision (a) means to obtain a certificate of completion from

- 1 the provider of the course and, as may be directed by the
- 2 enforcement agency, provide the certificate of completion to the
- 3 enforcement agency.
- 4 (c) This section shall become operative on July 1, 2006.